

The City of Carlsbad Planning Department

# **A REPORT TO THE PLANNING COMMISSION**

Item No. **(2)**

P.C. AGENDA OF: July 7, 2004

Application complete date: April 27, 2004

Project Planner: Anne Hysong

Project Engineer: Clyde Wickham

**SUBJECT: GPA 02-05/ZC 02-06/SDP 02-13/SUP 02-09 – CARLSBAD FAMILY HOUSING** – Request for a recommendation of adoption of a Negative Declaration, and recommendation of approval of a General Plan Amendment, Zone Change, Site Development Plan, and El Camino Real Special Use Permit for a 56 unit affordable apartment project located at the southeast corner of El Camino Real and Cassia Road in Local Facilities Management Zone 10.

## **I. RECOMMENDATION**

That the Planning Commission **ADOPT** Planning Commission Resolution No. 5672 **RECOMMENDING ADOPTION** of the Negative Declaration and **ADOPT** Planning Commission Resolutions No. 5666, 5667, 5668, and 5669 **RECOMMENDING APPROVAL** of a GPA 02-05, ZC 02-06, SDP 02-13, and SUP 02-09 based on the findings and subject to the conditions contained therein.

## **II. INTRODUCTION**

The proposed project consists of a General Plan Amendment to change the land use designation of a 2.66 acre property from RLM to RH and a Zone Change from the Exclusive Agriculture Zone (E-A) to the Residential Density-Multiple Zone (RD-M) to allow multiple family units, and a Site Development Plan and Special Use Permit to allow a 56 unit apartment project that is affordable to low income families. The applicant is also requesting incentives that include an 11% density increase above density permitted by the RH designation growth control point and deviations to the El Camino Real Corridor, Area 5, front setback and wall standards. The project complies with applicable City standards and guidelines and justification for deviations can be made.

## **III. PROJECT DESCRIPTION AND BACKGROUND**

The project site is a previously disturbed 2.66-acre parcel that is currently occupied by green houses. The property, which is located at the southeast corner of El Camino Real (ECR) and Cassia Road, is bordered to the north by future Cassia Road, to the west by ECR, to the east by open space that is part of the Villages of La Costa Master Plan, and to the south by deed restricted open space. The existing Villa Loma and future Manzanita Apartment projects are located across ECR on the northwest and southwest corners of Cassia Road. Topographically, the entire site is relatively flat and contains no sensitive vegetation. The property to the east is part of an HMP habitat preserve that contains sensitive vegetation. The property to the south

contains sensitive vegetation and is encumbered by a conservation easement. The eastern extension of Poinsettia Lane is currently under construction to the south of the adjacent property. The project includes a request for a General Plan Amendment and Zone Change to redesignate the property to Residential High (RH) density from its current Residential Low Medium (RLM) density designation and to change the zoning from the Exclusive Agriculture (E-A) Zone to the Residential Density Multiple (RD-M) Zone to allow multiple family units. The maximum density allowed on the 2.6 acre site under the existing RLM designation growth control point (3.2 du/acre) is 5 dwelling units, and the maximum density under the proposed RH growth control point (19 du/acre) is 50 dwelling units. The General Plan Amendment to allow 50 units would require the allocation of 45 units from the City's excess dwelling unit bank. The applicant is requesting 56 units on the property; therefore an 11% density increase to allow 6 units above the 50 units permitted by the RH growth control point is required.

The applicant, El Camino Family Housing Partners, L.P., is also requesting an ECR Special Use Permit (SUP) and Site Development Plan (SDP) and to allow the proposed 56 unit apartment project. The site has frontage on El Camino Real requiring compliance with the El Camino Real Corridor Development Standards. A SDP is required pursuant to Section 21.53.120 of the Zoning Ordinance for apartment projects with more than 4 units and for multi-family affordable projects of any size. Therefore, the SDP for the proposed 56-unit affordable housing apartment project involves both the overall apartment project and the combined affordable housing project.

The project requires an easterly extension of Cassia Road for the purpose of providing access to both the subject site and the property to the north and frontage improvements to El Camino Real. The site design for the 56 unit apartment project requires minimal grading to create a building pad for 4 separate two-story apartment buildings with a partial subterranean garage below Building 1 (see Exhibits "A" and "L"). Proposed amenities include a pool area, a 1,648 square foot office and recreation building, and tot lot. Due to highly flammable sensitive native vegetation that surrounds the site on three sides, the site design is driven by the required 60 foot wide fire suppression zones between property lines and buildings. As a result, the proposed apartment buildings are centrally located on the site with perimeter parking and Cassia Road located within the fire suppression zones. One, two, and three bedroom units are proposed that range in size from 646 square feet to 1,019 square feet. Unit A is one bedroom, Unit B is two bedrooms, and Units C and D are three bedroom units. Building 1, which faces El Camino Real, is the largest building with 24 units, Building 2 has 8 units, and Buildings 3 and 4 each have 12 units. Each unit is provided with a patio or balcony deck and storage closet. Building 1 patios and balcony decks facing El Camino Real have been sound attenuated to the greatest extent possible by an at grade 6' high split face block sound attenuation wall and 44" high transparent panels affixed to second story balcony railings. The California Spanish architectural style includes mission tile roofs, arched recesses and windows, and metal trim elements on all elevations.

The proposed project is subject to the following plans, ordinances, standards and policies:

- A. General Plan;

B. Title 21 of the Carlsbad Municipal Code (Zoning Ordinance):

1. Chapter 21.24 - RD-M Zone
2. Chapter 21.44 – Parking Ordinance
3. Chapter 21.85 – Inclusionary Housing
4. Chapter 21.53 – Multiple Family/Affordable Housing
5. Chapter 21.40 – Scenic Preservation Overlay Zone/El Camino Real Corridor Standards; and

C. Growth Management.

IV. ANALYSIS

The recommendation for approval of this project was developed by analyzing the project's consistency with the applicable regulations and policies. The project's compliance with each of the above regulations is discussed in detail in the sections below.

A. **General Plan**

The project is consistent with applicable Elements of the General Plan as indicated by the following table. The project includes a General Plan Amendment to change the land use designation from Residential Low Medium density that is characterized by single-family development to Residential High density characterized by multiple family development. The site location, topography, and characteristics are consistent with the following General Plan Element implementing policies regarding the location of high density developments.

TABLE 1: GENERAL PLAN COMPLIANCE			
ELEMENT	USE, CLASSIFICATION, GOAL OBJECTIVE OR PROGRAM	PROPOSED USES & IMPROVEMENTS	COMPLY
Land Use	Existing: Residential Low-Medium (RLM) Density (0 – 4 dwelling units/acre)	Proposed: Residential High (RH) Density (15 –23 dwelling units/acre)	Yes
	Implementing Policies C.4/C.8: Limit medium and high density residential developments to those areas where they are compatible with adjacent land uses, and where adequate and convenient commercial services and public support systems such as streets, parking, parks, schools, and public utilities are, or will be, adequate to serve them.	The proposed 56-unit apartment project is compatible with surrounding developments, including the 157 unit Manzanita Apartments and 325 unit Villa Loma Apartments. Bus service is available on El Camino Real, and future Alga Norte and Zone 19	Yes

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		community parks and the Westbluff Plaza and Plaza Paseo Real commercial shopping centers are located within one mile of the site. El Camino Real is currently being widened and other public facilities are adequate to serve the development.	
	Implementing Policy C.5: Locate multi-family uses near commercial centers, employment centers, and major transportation corridors.	The project has direct access to ECR and is within one mile of existing and future employment centers to the north and commercial centers.	Yes
	Implementing Policy C.7: Locate higher density residential uses in close proximity to open space, community facilities, and other amenities.	The project is located in proximity to the future Alga Norte and Zone 19 community parks and is bounded to the south and east by permanent open space.	Yes
	Growth Control Point: 19 dwelling unit/acre.	The project density of 21 du/acre exceeds the GCP of 19 du/ac; however, excess units are available and public facilities are adequate as required by the Growth Management Ordinance and the General Plan.	Yes
	Implementing Policy C.2 Allow density increases above growth control point to enable development of lower-income affordable housing that is compatible with adjacent development, where public facilities are adequate, and in proximity to major roadways, public parks and open space, commercial centers, employment centers, and transit	The 56 unit apartment project is compatible with the 325 unit Villa Loma and 157 unit Manzanita apartment projects to the northwest and southwest, public facilities are adequate, and the project is in proximity to ECR, two future public parks and dedicated	

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	centers.  Existing Zone: Exclusive Agriculture (E-A) - The E-A Zone does not implement residential land use designations.	open space, commercial centers and public transit service.  Proposed Zone: Residential Density-Multiple (RD-M) - RD-M zoning allows multiple family development that is consistent with the RH General Plan designation.	Yes
Housing	Implementing Policy 3.7.h/3.7.i. - Accommodate General Plan Amendments to increase densities on properties to enable development of affordable housing with adequate public facilities.  Policy 3.8 – Implement Council Policy 43 for allocation of excess dwelling units	Project is 100% affordable housing that is within the RH General Plan density range but requires an 11% density increase above the growth control point.  The affordable housing project satisfies the criteria established by Council for allocating excess dwelling units.	Yes  Yes*
Public Safety	Provide project review that allows consideration of seismic and geologic hazards.  Reduce fire hazards to an acceptable risk level.	Project improvements will not significantly impact or be impacted by geologic or seismic conditions.  Project provides 60' fire suppression zones.	Yes  Yes
Noise	Noise attenuation for properties within 500 feet of circulation arterial roadways.  Residential interior noise standard of 45 dBA CNEL.	The project is conditioned to require a 6' tall masonry noise wall to attenuate noise.  The project is conditioned to require future units to comply with the interior noise standard.	Yes

Circulation	Requires new development to construct improvements needed to serve proposed development.	All public infrastructure will be constructed in accordance with City standards.	Yes
	Minimize the number of access points to major and prime arterials to enhance the functioning of these streets and thoroughfares.	The project design takes access off Cassia Road which is a local street. No direct public access off of El Camino Real (prime arterial) is proposed.	Yes

- \* The proposed General Plan Amendment to the RH designation and the requested 11% density increase above the RH growth control point require a total allocation of 51 dwelling units from the City's excess dwelling unit bank. Consistency findings for approval of the General Plan Amendment to change the land use designation from RLM to RH and compliance with the Growth Management Ordinance and General Plan policies for allowing projects to exceed the growth control point are stated above. The project qualifies for the allocation of excess dwelling units in accordance with Council Policy 43, which establishes policy for the allocation of excess dwelling units, in that it is a 100% affordable apartment project where a density increase is requested as an incentive to providing affordable housing units.

#### **B1/2. RD-M Zone/Parking Ordinance**

As shown on the following table, the proposed multi-family development meets or exceeds the RD-M Zone and Parking Ordinance standards:

TABLE 2: RD-M ZONE/PARKING ORDINANCE COMPLIANCE		
Standard	Required	Proposed
Use	Multi-family and Single Family Units	56 Multi-family Units
Lot Size	Minimum 10,000 Sq. Feet	2.659 Acres
Lot Width	Interior Lots: 60 Feet	295.2 Feet
Lot Coverage	60%	27.41%
<u>Sebacks:</u> Front Yard Side Yard Rear Yard	10 Feet 5 Feet 10 Feet	22 Feet 40 – 60 Feet 60 Feet
Building Height	35 Feet	Maximum 33'6"
<u>Parking Required:</u> 12 - 1 Bedroom Units 44 - 2/3 Bedrooms Units Guest Parking 10 Units @ .5 Spaces/Unit 46 Units @ .25 Spaces/Unit	1.5 Space/Unit = 18 Spaces 2 Spaces/Unit = 88 Spaces  = 5 Spaces = <u>12 Spaces</u> <u>Total Required</u> = 123 Spaces	18 Spaces 88 Spaces  5 Spaces <u>12 Spaces</u> <u>Total Provided</u> = 123 Spaces

**B3/B4. Inclusionary Housing/Multiple Family/Affordable Housing**

Section 21.85.080 of the Inclusionary Housing Ordinance anticipates that combined projects are proposed to satisfy a particular project or project's inclusionary housing requirement. The proposed 56-unit project would not satisfy a specific project currently under review; however, the units could be used to satisfy the inclusionary housing requirements of future projects meeting the necessary criteria. The City Council has the sole discretion to authorize a proposed combined affordable housing site through their approval of an Affordable Housing Agreement. The project location, which is in proximity to public transportation, employment, commercial services and recreational opportunities, and buffered from existing development by open space and El Camino Real meets the locational criteria specified for a combined inclusionary housing project.

Section 21.53.120 of the Zoning Ordinance requires approval of a site development plan for multi-family apartment projects exceeding 4 units, and affordable housing projects of any size, based on findings that the project is consistent with the underlying zoning and in conformance with the General Plan policies and goals, and in accordance with the Qualified Overlay Zone. Findings required by the Qualified Overlay Zone ensure that the use is consistent with the General Plan, will not adversely impact the site or surrounding uses, and that the site and street system are adequate to accommodate the use. Incentives such as density increases to enable the reservation of affordable units are permitted.

As specified in Table 1 above, the project is compatible with existing and future multi-family apartment projects located across ECR on the northwest and southwest corners of Cassia Road. No adverse impacts to adjacent projects will occur because the project is surrounded by undeveloped open space to the east and south, and roadways and/or undeveloped property to the west and north. The proposed extension of Cassia Road will provide access to the undeveloped property to the north. The property to the north is also currently designated for RLM density development; however, it is anticipated that due to biological constraints, future development will also require a General Plan Amendment to redesignate the property to enable multi-family development. The site and street system are adequate to accommodate the proposed project. The proposed site design complies with all RD-M zone development standards, and the street system serving the project would operate at acceptable levels of service with the additional demand generated by the project.

Based on an analysis performed by staff, the proposed 11% density increase to enable the low income units is a necessary incentive to offset the subsidy necessary to reserve 56 affordable units. The affordable housing project complies with General Plan Policy C.2 applicable to projects requesting density increases above the growth control point as stated in Table 1. The project is compatible with surrounding development and public facilities, roadways, and public services are in proximity to the development. Additionally, the low-income project qualifies for the allocation of excess dwelling units in accordance with criteria established by Council Policy 43.

#### **B5. Scenic Preservation Overlay Zone/El Camino Real Corridor Standards**

The proposed project is located on the east side frontage of El Camino Real and is subject to the regulations of the Scenic Preservation Overlay Zone, as implemented through the El Camino Real Corridor Development Standards. Pursuant to 21.40.040, a special use permit is required. Deviations to the ECR Corridor Standards are permitted if specific findings that compliance for a particular project is infeasible, the scenic quality of the corridor is maintained, no adverse impact on traffic would result, and the intent of the Scenic Preservation Overlay Zone is met.

The project is located within Area 5 of the El Camino Real Corridor (Sunfresh Rose to Olivenhain Road). As shown on the following table, the project is consistent with all applicable development standards except for setback and wall location:



TABLE 3 – EL CAMINO REAL CORRIDOR STANDARDS COMPLIANCE			
Standard	Adopted Criteria	Proposed Project	Compliance
Design Theme	Old California/Hispanic	Hispanic (tile roof, stucco materials, arches)	Yes
Median Breaks	Intersections and median breaks	Access at planned intersection	Yes
Sidewalks	Determined by Staff	Per City standard	Yes
Signs	Freestanding monument sign stucco and wood 7' tall/12' long	Freestanding monument sign stucco and wood 3' tall/7' long	Yes
Building Height	35' from grade maximum	33'6" from grade maximum	Yes
Grading	No cut or fill exceeding 10' from original grade	Cut/fill not to exceed 5 feet	Yes
Setback	At grade: 30' minimum. Some screening to be incorporated into setback.	22' minimum proposed; landscape screening provided	No*
Walls in Setback	Minimum of 25' of right-of-way	5' – 18'	No*
Street Furniture	Wrought iron or wood	None proposed	Yes
Street light spacing	City standard	City standard	Yes
Roof Equipment	Not visible	Not visible	Yes
Land Uses	Land use changes should be addressed at time of request.	Land use change proposed.	Yes

\*The project proposes to reduce the 30' building setback to 22' from the right-of-way and to locate a noise attenuation wall within the 22' setback that meanders between a distance of 5' to 18' from the right-of-way. The necessary findings for approving these deviations are that:

1. The building setback and wall location standards are infeasible for the proposed project, and the proposed deviations are consistent with the intent of the ECR Corridor Standards. Due to high fuel species that occupy permanent open space surrounding the project, 60' wide fire suppression zones are required between structures and rear and side property lines. This results in side and rear setbacks that are up to six times greater than the 5' and 10' required by the RD-M zone. These additional setback widths significantly reduce the developable area of the property; therefore, the 8' reduction in the front setback is necessary to enable a site design that incorporates recreational amenities and conforms to City development and design standards.

2. The reduced setback and placement of a sound attenuation wall within the reduced setback will not reduce the scenic quality of the ECR corridor. The noise attenuation wall is proposed to ensure that at-grade noise levels are reduced to the greatest extent possible. Within the approximately 1,300' between Poinsettia Lane and Cassia Road, the proposed project would occupy only 295'. The remaining 1000' to the south of the proposed development is dedicated open space that cannot be developed due to biological constraints. Therefore, the proposed deviations would not eliminate views to the east along the ECR corridor or result in continuous development too close to the right-of-way. The wall does not interfere with required sight distance and will not have an adverse impact on traffic safety. The meandering wall design that consists of split face block with pilasters and cap along with dense landscape screening will maintain and enhance the appearance of the El Camino Real roadway.

### C. Growth Management

Table 4 below details the project's conformance with the requirements of the Growth Management Program and Zone 10 Local Facilities Management Plan.

TABLE 4 – GROWTH MANAGEMENT COMPLIANCE		
Standard	Impacts/Standards	Compliance
City Administration	195 s.f.	Yes
Library	104 s.f.	Yes
Wastewater Treatment	56 EDU	Yes
Parks	0.39 ac.	Yes
Drainage	Basin D	Yes
Circulation	336 ADT	Yes
Fire	Station #2	Yes
Open Space	N/A	Yes
Schools	Carlsbad Unified	Yes
Sewer Collection System	56 EDU	Yes
Water	12,320 GPD	Yes

\*The project is 6 dwelling units above the Growth Management Dwelling Unit allowance.

### V. ENVIRONMENTAL REVIEW

Staff conducted an environmental impact assessment to determine if the project could have a potentially significant effect on the environment pursuant to CEQA Guidelines and the Environmental Protection Ordinance (Title 19) of the Carlsbad Municipal Code. No potentially significant environmental impacts were identified; therefore, the Planning Director issued a Notice of Intent to adopt a Negative Declaration on June 21, 2004.

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**ATTACHMENTS:**

1. Planning Commission Resolution No. 5672 (ND)
2. Planning Commission Resolution No. 5666 (GPA)
3. Planning Commission Resolution No. 5667 (ZC)
4. Planning Commission Resolution No. 5668 (SDP)
5. Planning Commission Resolution No. 5669 (SUP)
6. Location Map
7. Local Facilities Impact Assessment
8. Background Data Sheet
9. Disclosure Statement
10. Reduced Exhibits
11. Exhibits "A" – "U" dated July 7, 2004

AH:mh